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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/885,514	06/20/2001	Robert D. Battin	CE09003R	3362
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22917 7590 03/17/2005

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SCHAUMBURG, IL 60196

EXAMINER

TRAN, PHUC H

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/885,514

Applicant(s)

BATTIN, ROBERT D.

Examiner

PHUC H TRAN

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 15-17 and 20 is/are rejected.
- 7) ☒ Claim(s) 13, 14, 18 and 19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/20/01, 1/7/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The specification is objected to because of the following informalities: summary of invention was missing. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12, 14, 16-17, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Sturniolo et al. (U.S. Patent No. 6201962 B1).

- With respect to claims 1,2, 8-11, and 20, Sturniolo teaches a method for a communication infrastructure to preserve communication link bandwidth when supporting a packet communication session (e.g. the communication in Fig. 1), the method comprising the steps of:

receiving, by the communication infrastructure, a session response message that indicates a destination IP address and a destination communication port for the packet communication session (e.g. col. 7, lines 48.51);

determining, by the communication infrastructure, a source IP address and a source communication port for the packet communication session (col. 7, lines 57-58);

receiving, by the communication infrastructure from a communication unit, a link-layer packet for the packet communication session (e.g. the wireless unit communicate with the access point); and

generating, by the communication infrastructure, an IP message header and a UDP message header for the link-layer packet using the source IP address, the source communication port, the destination IP address, the destination communication port, the link-layer packet, and a set of predetermined values to produce an Internet protocol (IP) packet comprising the link-layer packet (e.g. Fig. 3).

- With respect to claims 3-4, Sturniolo discloses wherein the link-layer packet comprises at least one Radio Link Protocol (RLP) voice packet and wherein the IP packet comprises a voice-over-IP packet (e.g. the voice from wireless unit communicates with gateway 40 and WAN backbone network).

- With respect to claims 5, & 7, Sturniolo teaches wherein the step of determining comprises the step of determining that a predetermined IP address associated with the DAG is the source IP address and that a predetermined communication port associated with the DAG is the source communication port (e.g. Fig. 3 show the destination and source address and port communication).

- With respect to claim 6, Sturniolo also discloses wherein the step of determining comprises the step of accessing a table that maps communication units to IP addresses and communication units to communication ports to determine the IP address and communication port associated with the communication unit for use as the source IP address and the source communication port (col. 22, lines 21-24).

- With respect to claims 12 and 16-17, Sturniolo teaches wherein the step of generating comprises the step of inserting predetermined values from the set of predetermined values into IP header fields selected from the group consisting of a version field, a header-length field, a type-of-service field, a flags field, a fragment-offset field, a time-to-live field, an options field, and a protocol field (it is inherently to the one of the ordinary skill in the art to know the standard internet protocol IP header contain those fields in the header).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sturniolo et al. (U.S. Patent No. 6201962 B1) in view of Johansson et al. (U.S. Patent No. 6820233 B1).

- With respect to claim 15, Sturniolo discloses all the aspect of the claimed invention as set forth above but fails to teach wherein the step of generating comprises the step of calculating a checksum IP header field value by calculating a checksum of the IP message header. Johansson teaches the step of calculating a checksum for IP header (col. 5, lines 49-65). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the calculation steps of Johansson into Sturniolo's invention for calculating the checksum to compress the data in the communication system for less bandwidth.

Art Unit: 2666

Allowable Subject Matter

6. Claims 13-14, and 18-19 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See form PTO-892.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUC H TRAN whose telephone number is (571) 272-3172. The examiner can normally be reached on M-F (8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAO SEEMA can be reached on (571)272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuc Tran
Assistant Examiner
Art Unit 2664

P.t
3/14/05


ENCLOSURE
PATENT DOCUMENT